

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RONALD J. GALLO,

Plaintiff(s),

08cv0504

ELECTRONICALLY FILED

v.

WASHINGTON COUNTY ET AL.,

Defendant(s).

Order of Court

And now, this 4th day of February, 2009, for the reasons set forth in the Memorandum Opinion on Summary Judgment, it is HEREBY ORDERED:

(1) The Washington County defendants' motion for summary judgment (doc. no. 62) is GRANTED.

(2) The Court will dismiss the state law professional negligence claim against the physician defendants without prejudice for said claim to be re-filed in state court pursuant to 42 Pa.C.S. § 5103(b), and the Court will decline to rule on the Physician defendants' motion for summary judgment (doc. no. 59).

(3) Judgment is hereby entered in favor of Washington County, Joseph Pelzer and Cheryl McGavitt, and against plaintiff.

(4) The Clerk shall mark the docket closed.

SO ORDERED this 4th day of February, 2009.

s/Arthur J. Schwab

Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties